

7jgmtwoh (1/12)

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI**

In Re: Michael Joseph Page and Kimberly Lynn Page
Debtor

Bankruptcy Case No.
08-42788-jwv7

Jerald S. Enslein, Trustee
Plaintiff(s)

Adversary Case No.
12-04020-jwv

v.

The Bank of New York
The Bank of New York
BANK OF AMERICA, N.A.
Countrywide Home Loans, Inc.
PNC Bank, d/b/a PNC Mortgage., f/k/a National City
Mortgage Co., d/b/a Commonwealth United Mortgage
Company
Defendant(s)

JUDGMENT

The issues of this proceeding having been duly considered by the Honorable Jerry W. Venters , United States Bankruptcy Judge, and a decision having been reached without trial or hearing.

IT IS ORDERED AND ADJUDGED: ORDERED that Judgment by Default is hereby awarded and granted and shall be entered in favor of the Trustee and against BNY Trustee–Harborview, BNY Trustee–CWALT, and PNC pursuant to Rule 7055 FRBP and Rule 55 FRCP, such that it is hereby determined that: (i) the Rents constitute property of the bankruptcy estate which are not subject to any valid lien of BNY Trustee–Harborview, BNY Trustee–CWALT or PNC that is not avoidable under 11 U.S.C. §544(a) and any such liens are hereby avoided under 11 U.S.C. §544(a); and (ii) based on the aforesaid, the Rents constitute property of the bankruptcy estate which are free and clear of any lien of BNY Trustee–Harborview, BNY Trustee–CWALT, or PNC.

The foregoing Memorandum Opinion constitutes Findings of Fact and Conclusions of Law as required by Rule 7052, Rules of Bankruptcy.

Ann Thompson
Court Executive

By: /s/ Jamie Hinkle
Deputy Clerk



Date of issuance: 5/21/12

Court to serve